

Article - Criminal Law

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§5–103.

(a) (1) Subject to paragraph (2) of this subsection, this title does not apply to the sale of a prescription drug:

(i) made to an authorized provider; or

(ii) made by a manufacturer, wholesale distributor, or pharmacist licensed by the State to:

1. another manufacturer, wholesale distributor, or pharmacist licensed by the State; or

2. a hospital or institution that operates a dispensary in which an authorized provider licensed to administer prescription drugs is in charge.

(2) A sale is exempt from this title only if a record of the sale:

(i) is maintained and available for inspection; and

(ii) shows the date of sale, the name and address of the purchaser, and the quantity purchased.

(b) This title does not apply to:

(1) the distribution of a prescription drug, device, or supply for the treatment, care, or cure of farm animals, poultry, fowl, or other animals used in furtherance of farming activities;

(2) the sale or offering for sale, or the distribution of seeds, feed for livestock and poultry, fertilizers, lime, land plaster, fungicides, and insecticides; or

(3) a drug that on June 1, 1961, could be sold without a prescription.

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